

1 DAVID C. WEISS
2 Special Counsel
3 LEO J. WISE
4 Principal Senior Assistant Special Counsel
5 DEREK E. HINES
6 Senior Assistant Special Counsel
7 SEAN F. MULRYNE
8 CHRISTOPHER M. RIGALI
9 Assistant Special Counsels
10 950 Pennsylvania Avenue NW, Room B-200
11 Washington, D.C. 20530
12 Telephone: (771) 217-6090
13 E-mail: LJW@usdoj.gov, DEH@usdoj.gov
14 E-mail: SFM@usdoj.gov; CMR@usdoj.gov
15 Attorneys for the United States

16 Attorneys for Plaintiff
17 UNITED STATES OF AMERICA

18 UNITED STATES DISTRICT COURT

19 FOR THE CENTRAL DISTRICT OF CALIFORNIA

20 UNITED STATES OF AMERICA,

21 Plaintiff,

22 v.

23 ALEXANDER SMIRNOV,

24 Defendant.

No. CR 2:24-cr-00091-ODW

DECLARATION OF LEO J. WISE IN
SUPPORT OF GOVERNMENT'S
FIRST MOTION IN LIMINE TO
PRECLUDE PROPOSED DEFENSE
EXPERT GREGORY SCOTT
ROGERS

DECLARATION OF LEO J. WISE

I, Leo J. Wise, declare as follows:

1. I am an attorney of record for the United States in the above-captioned case. I have personal knowledge of the matters contained in this declaration, and, if called as a witness to testify, I would competently testify to them. This declaration is offered in support of the government's First Motion in Limine to Preclude Proposed Defense Expert Gregory Scott Rogers.
2. The defendant opposes the motion, suggesting that he intends to improperly call his proposed expert to testify.
3. On Friday, October 25, 2024, my office emailed a letter to counsel for the defendant regarding the subject of the government's proposed motions in limine, including the matters, issues, and topics addressed in the First Motion in Limine. On Monday, October 28, 2024, the defendant's counsel emailed his response, opposing the motion and therefore refusing to stipulate that he will not call his proposed expert to testify in the presence of the jury unless and until the Court so rules.
4. The government will suffer prejudice if its First Motion in Limine is denied, and the defendant is permitted to call his proposed expert because his expert disclosures are deficient under Federal Rule of Criminal Procedure 16 and otherwise inadmissible under Federal Rule of Evidence 702.

Executed on this 1st day of November, 2024 in Baltimore,
MD.

Respectfully submitted,



Leo J. Wise